

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

SANDRA E. FLUCK, an individual,	:	C.A. No.: 06-188-GMS
	:	
Plaintiff,	:	
	:	<u>JURY DEMAND</u>
v.	:	
	:	
BELLA VISTA DEVELOPMENT, LLC, a	:	
Virginia corporation, BELLA VISTA	:	
TOWNHOME CONDOMINIUM	:	
ASSOCIATION, INC., a Delaware	:	
corporation, RESORT REALTY GROUP,	:	
INC., a Delaware corporation, WILLIAM J.	:	
MITCHELL, individually, and WAYNE	:	
MITCHELL, individually,	:	
Defendants.		

**PLAINTIFF'S RESPONSE TO DEFENDANT RESORT REALTY GROUP,
INC.'S MOTION TO DISMISS**

Plaintiff Sandra Fluck (Plaintiff), by and through her undersigned counsel, hereby moves this Court for an Order denying Defendant Resort Realty Group Inc.'s (Defendant) Motion to Dismiss.

Plaintiff respectfully refers the Court to the factual assertions and legal arguments made in Plaintiff's Answering Brief, filed contemporaneously herewith and included herein by reference.

WHEREFORE, Plaintiff respectfully requests this Court to deny Defendant's Motion to Dismiss the Complaint.

DOROSHOW, PASQUALE, KRAWITZ & BHAYA

/s/ ANDREA G. GREEN, ESQUIRE

Attorney I.D. No.: 2487

/s/ JENNIFER S. DONAHUE, ESQUIRE

Attorney I.D. No.: 4700

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Attorneys for Plaintiffs

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INC., a Delaware corporation, WILLIAM J. :
MITCHELL, individually, and WAYNE :
MITCHELL, individually,

Defendants.

ORDER

AND NOW, this _____ day of _____, 2007, Defendant's Motion to Dismiss and

Plaintiff's Response having been presented to and considered by the Court,

IT IS HEREBY ORDERED that Defendant Resort Realty Group, Inc.'s motion is DENIED.

The Honorable Gregory M. Sleet
United States District Court Judge

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MITCHELL, individually, and WAYNE	:	
MITCHELL, individually,	:	
	:	
Defendants.		

CERTIFICATE OF SERVICE

I, Jennifer S. Donahue, Esquire, do hereby certify that on March 2, 2007, I electronically filed the Plaintiff's Response to Defendant's Motion to Dismiss with the Clerk of Court using CM/ECF which will send notification of such filing to the following person(s):

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